SINGLE BENCH (4)

Tool Dawani I.A

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P (S). NO....3735...../2006

PETITIONER

Mangal Das, Aged about 55 years, S/o Late Shri Ram Lal at present working as a Hostel Superintendent, tribal Boys Hostel, Padwania, Block Development, Gorela, District Bilaspur, R/o Village Near Tahsil Office, Pendra Road Bilaspur.

P.R. No. 3291/06
Presented by Shri N.P. Kosta
dated 21.11.06

VERSUS

RESPONDENTS

1. State of Chhattisgarh through the Secretary Tribal Welfare Department, D.K.S. Bhawan Raipur. (C.G.)
2. Commissioner Tribal Welfare Department State of Chhattisgarh Raipur (C.G.)
3. Assistant Commissioner Tribal Welfare Department Bilaspur District Bilaspur (C.G.)
4. Block Education Department Gorela, Pendra Road District Bilaspur. (C.G.)
5. Project Administrator, Tribal Welfare Project Gorela Pendra Road District Bilaspur (C.G.)
6. Bhagwan Das Daheria, Upper Division Teacher Govt. High School Madanpur District Korba. (C.G.)

RECEIVED-COPY
21/11/06
CLERK to A. G. BILASPUR

9.11.05

2. (5)

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARY AND FOR OTHER SUITABLE WRITS AND DIRECTIONS :-

XI-HC-78

(98)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3735/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26.7.2006

Heard Shri Vishnu Kosta, Advocate for the petitioner.

Shri Satish Gupta, Dy. G.A. for the State on advance copy.

By this petition the petitioner, who is working as Superintendent, Tribal Boys Hostel, Padwania, District Bilaspur, has challenged the transfer order dated 4.7.2006 (Annexure P-2) whereby respondent No.6 has been posted in his place and the petitioner has not been posted anywhere.

Learned counsel for the petitioner submitted that in the circumstances the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, respondent No.1 be directed to decide the same, to which learned counsel for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation, raising his grievance that without transferring him, respondent No.6 has been posted in his place, along with copy of this petition to respondent No.1 within a period of ten days from today and in turn, respondent No.1 to decide the representation of the petitioner in an objective manner within a period of 30 days from the date of receipt of representation after considering all the points raised by the petitioner in accordance with law.

In the meantime, till the order is passed on the representation of the petitioner, the effect an operation of the impugned order dated 4.7.2006 (Annexure P-2) whereby respondent No.6-Bhagwan Das Daheria has been transferred in place of the petitioner shall remain stayed.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2906/06 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

P.T.O.

2.8.06